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C O N F I D E N T I A L SECTION 01 OF 02 ABUJA 000677

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TAGS: [PGOV](#) [PREL](#) [KDEM](#) [NI](#) [TO](#)

SUBJECT: AMBASSADOR MEETS WITH ECOWAS ON TOGO

REF: LOME 556

Classified By: Ambassador John Campbell for Reasons 1.4 (B & D).

1. (C) Summary. The Executive Secretary of ECOWAS, Dr. Mohammed ibn Chambas, briefed Ambassador at length May 4 on ECOWAS's actions in Togo since the death of President Eyadema. ECOWAS supported the Togo elections happening within 60 days because that is what the Constitution provided for, although the opposition was never happy with holding the elections without extensive preparation. Chambas said the opposition (which Obasanjo says no longer trusts ECOWAS -- septel) will now have to find a way to accept their participation in a government of national unity. Chambas will travel to Togo on May 4 to deliver this message to both Faure Gnassingbe and the opposition, and he asked that the U.S. also press this message with Faure. End Summary.

2. (C) The Ambassador met the Executive Secretary of ECOWAS, Dr. Mohammed ibn Chambas, on May 4 at the suggestion of Nigeria's National Security Advisor Aliyu Mohammed. In a friendly conversation, Chambas discussed the current situation in Togo and the background to ECOWAS's participation in the election process. Also present were Dr. Adrienne Diop, the Director of Communications for ECOWAS, and an Embassy notetaker.

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The Constitution  
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3. (C) Chambas opened by discussing why ECOWAS moved so firmly to have the election held 60 days after the death of Eyadema, a question the opposition and many international observers have put to him. He argued that the Togolese Constitution called for an election 60 days after a vacancy in the Presidency, and that ECOWAS was committed to following the requirements of that Constitution. He placed the Togolese requirement in a regional context -- the Constitutions of Benin, Mali, and Niger all require elections be held in a similar timeframe following the death or resignation of the President. The French Constitution, the precedent for the requirements in these francophone nations, requires elections with 60 days of a vacancy in the Presidency, and this has occurred twice (the resignation of De Gaulle and the death of Pompidou). This, in Chambas' mind, created a legitimate basis for the 60 day requirement in the Togolese Constitution. The requirement was placed in the Constitution during the 1992 National Conference, in which the current opposition played an active role. Under these circumstances, Chambas saw no reason not to respect it as the legitimate will of the Togolese people.

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Readiness for an Election  
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4. (C) Another factor Chambas considered in ECOWAS's decision to push for elections in 60 days was how ready the government was to conduct elections. National legislative elections had been scheduled for March 2005. Eyadema's death in February altered that plan, but some groundwork for national elections had already been completed. Voter registration lists were already fairly current and, in response to pressure from ECOWAS, were reopened for additional registrations just prior to the election. This readiness, along with the legitimacy of the Constitutional requirement for elections within 60 days of the death of the Chief of State, Chambas said, were the basis for the ECOWAS decision to push for and support the April elections.

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The Opposition  
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5. (C) The opposition, Chambas said, was not happy with the 60 day timetable. They initially complained that they could not participate in elections unless the voter registration was reopened. ECOWAS ensured that the rolls were reopened. The opposition then claimed that the registration process was not conducted fairly. In response, ECOWAS arranged for the registration period to be extended for two days in areas where there had been problems with registration. The opposition said they could not participate in elections if they were not represented on the electoral bodies. Chambas claims ECOWAS ensured they were represented. The opposition

was always looking for an exit, for a way to not participate in the elections or to have them postponed, Chambas said. ECOWAS resolved all of their complaints, he said, and that left the opposition with just over a week to campaign after finally accepting that all of their demands had been met and that the elections would take place. Chambas pointed to the Akitani-Bob's harrassment-free campaigning in northern Togo, a government stronghold, as evidence that ECOWAS had ensured the security of the candidates and created an environment conducive to free and fair elections.

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Next Steps  
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16. (C) Chambas is traveling to Togo May 4 with Nigeria's Foreign Minister to emphasize to Faure Gnassingbe that he must hold to the commitment he made in Abuja to form a government of national unity and to pursue with the opposition a program of constitutional and electoral code reform. Chambas expects Gnassingbe will appoint an opposition member as his Prime Minister and will include opposition members in his cabinet. While Chambas characterized Faure's tenure as transitional, the expectation of ECOWAS is that the next presidential election will be held 5 years hence. Chambas noted that there is no provision in the Constitution or by precedent for a shorter term of office, despite the demand by Gilchrist Olympio that new elections be held 6-12 months from now. ECOWAS will soon issue another report detailing the findings of its observers. Chambas hoped the new ECOWAS document will serve as a basis for reform of Togo's electoral code. The challenge for ECOWAS, he thought will be to gain acceptance for this plan from the opposition.

17. (C) Chambas asked that the U.S. remind Faure he pledged to Obasanjo to form a government of national unity and that the U.S. emphasize this should be seen as a new beginning for Togo. Chambas said Gnassingbe must be made to understand that the international community expects him to reach out to the opposition and to pursue constitutional, electoral, and security sector reform to set Togo on the right path. Chambas also hoped that the new government will create a security situation that allows Olympio, and all other Togolese living outside of their borders, to return to Togo.  
CAMPBELL